IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6840 OF 2005

Shivsharan Bandesh @ Bandyappa
Nagansure ...Applicant
Vs.
The State of Maharashtra ...Respondent

Mr. Ujwal R. Agandsurve for the Applicant.
Ms M.M. Deshmukh, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 19, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. The offence is registered under section 302 read with section 34 of the Indian Penal Code. The Advocate appearing for the Applicants placed reliance on the order dated 11th October, 2005 passed by this Court in Criminal Application No.6580 of 2005. He submitted that the Applicant is entitled to be enlarged on bail for the reason of parity. The learned A.P.P. appearing for the State could not dispute that the role of the present Applicant is not different from the role ascribed to the Applicants in Criminal application No.6580 of 2005.

2. I find that case is made out for enlarging the Applicant on bail for the reason of parity based on the above order.

3. Hence, I pass the following order:

: O R D E R :

i) The Applicant shall be enlarged on bail in connection with **C.R.No.83 of 2005 registered with Akkalkot North Police Station,** subject to furnishing a personal bond of **Rs.10,000/- each** with one or two local sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant will report to the concerned Investigating Officer once in a fort-night.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

iv) The Applicant shall co-operate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE